IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUIT NO.1101 OF 1990

Mrs.Blanch E.Morris Coutinho & Anr. .. Plaintiffs.

Versus

Terrance (Felix) Coutinho & Ors. .. Defendants.

None for plaintiff.

Mr.V.P.Shastri i/b.Raymond & Co. for defendant Nos.1 to 3.

Mr.J.S.Chandnani for defendant No.5.

CORAM : V.C.DAGA, J.

DATE : 13th December, 2007.

P.C.:

1. On the last date of hearing, the plaintiffs were directed to remain present in person for being examined under Order 14 Rule 4 of the C.P.C. so as to enable this Court to frame issues in the suit.

2. Learned Counsel appearing for the defendant Nos.1 to 3 produces original death certificates of the

plaintiffs, together with photostat copy thereof. After verification, the original death certificate is returned to the Counsel appearing for the defendant Nos.1 to 3. The photostat copies of the death certificates are taken on record. The plaintiff No.1 has expired on 9th February, 2006 and the plaintiff No.2 on 18th March, 2005.

3. It was expected on the part of the Advocate appearing for the plaintiffs to appear before this Court and take out appropriate application to substitute the name of the plaintiffs. Since, nobody is appearing on behalf of the plaintiffs and the suit has already abated, the suit accordingly stands disposed of with no order as to costs.

(V.C. DAGA, J.)